BASIS FOR THE AMENDMENT

Claims 1-7 and 13-36 are active in the present application. Claims 1 and 5 have been amended to state that the water-soluble particles have a coupling agent having a group that is at least one of an amino group, an epoxy group and an isocyanate group. Support for the amendment to independent Claims 1 and 5 is found in the last full paragraph on page 11. Claims 8-12 are canceled claims. Claims 13-36 are new claims. Support for new Claims 13 and 25 is found on page 12, lines 20-30. Support for new Claims 14 and 26 is found on page 15, line 10. Support for new Claims 15-18 and 27-30 is found in the first full paragraph on page 25. Support for new Claims 19 and 31 is found on page 14, lines 4-8. Support for new Claims 20 and 32 is found on page 14, lines 16-18. Support for new Claims 21 and 33is found on page 14, lines 32-34. Support for new Claims 22-24 and 34-36 is found in the last full paragraph on page 11.

No new matter is believed to have been added by this amendment.

REMARKS/ARGUMENTS

Applicants thank Examiner Nutter for the helpful and courteous discussions of July 13, 2005. During the discussions the Examiner indicated that an amendment to Claims 1 and 5 to further define the structure and chemical nature of the water soluble particles may overcome the rejections of record.

The Examiner also indicated a willingness to prosecute the present application together with co-pending application no. 10/529,742. Applicants' U.S. representative faxed the information for the co-pending application to Mr. James Seidleck with a request to docket both applications to Examiner Nutter for ease and efficiency of prosecution.

The invention claimed in independent Claims 1 and 5 includes a water-soluble particle having an outer shell that includes a coupling agent that has at least one of an amino group, an epoxy group and/or an isocyanate group. When the water-soluble particles adhere to the limitations of present independent Claims 1 and 5 the claimed pad can adequately form pores at a desirable polishing rate and concurrently maintain uniformity and local planarity (page 15, lines 19-34 and page 17, lines 11-23).

The solubility of the water-soluble particles present in the claimed pad permits the claimed polishing pad to provide a desired polishing rate, in-plane uniformity and low planarity (see page 17, lines 11-23).

With respect to the rejections of the present claims in view of the prior art cited by the Examiner, Applicants note that Ogawa (EP 1164559) does not disclose a water-soluble particle embedded in a matrix where the water-soluble particle has one of the coupling agent groups recited in the present claims. Although Ogawa discloses in paragraph [0023] water-soluble particles having an outer shell formed of a material such as an epoxy resin, Ogawa does not disclose a water-soluble particle having an outer shell including a coupling agent such as the coupling agent recited in present independent Claims 1 and 5. Applicants submit

that an epoxy resin is different from a material that is modified with a coupling agent such as the epoxy group-containing coupling agent of the present claims.

Applicants submit that Ogawa does not teach one of the present claim limitations; namely, that the water-soluble particle contain a coupling agent having a certain group. Thus Ogawa cannot anticipate or render obvious the presently-claimed subject matter.

Reinhardt (WO 04/04599) discloses a variety of polymeric matrix materials and polymeric microelements on page 11, lines 1-12. Because Reinhardt nowhere discloses or suggests the coupling agent recited in the present claims, Applicants submit that Reinhardt cannot anticipate or render obvious the presently claimed subject matter.

Hasegawa I (EP 1201368) is the same disclosure as Ogawa. As was already mentioned, Ogawa does not disclose the coupling agent of the present claims and cannot therefore render obvious or anticipate the presently claimed subject matter.

Likewise, Hasegawa II (EP 1252973) discloses a water-insoluble matrix material having a water-soluble particle but not disclose all the elements of the present claims and cannot therefore render obvious or anticipate the presently claimed subject matter.

As Applicants submit above, the prior art cannot anticipate or render obvious the presently claimed subject matter because the prior art does not disclose at least one of the present claim limitations; namely, a water-soluble particle having an outer shell that is modified with a coupling agent that contains at least one of an amino group, an epoxy group and a isocyanate group. Applicants therefore respectfully request the withdrawal of the rejection and the passage of all now-pending claims to Issue.

For the reasons stated above, Applicants submit that now-pending Claims 1 and 5, and the claims depending therefrom, are novel and not obvious in view of the prior art and respectfully request the withdrawal of the rejection and the allowance of all now-pending claims.

INFORMATION DISCLOSURE STATEMENT

Applicants filed an Information Disclosure Statement (IDS) on March 26, 2004. The PTO-1449 submitted with the IDS contained a single reference in the "Other DR References" section. The signed, dated and initialed PTO-1449 returned with the Office Action of April 22, 2004 did not acknowledge consideration of the other reference provided on the PTO-1449 of March 26, 2004. Applicants respectfully request the Office return a signed, dated and initialed copy of the PTO-1449 of March 26, 2004 acknowledging that all of the references provided thereon have been considered during the examination of the present application.

Applicants submit concurrently herewith an IDS providing a list of related cases. Applicants respectfully request the Office acknowledge receipt and consideration of at least the claims, and/or drawings and abstract, if provided, during the examination of the present application.

PRIORITY UNDER 35 U.S.C. § 119

Applicants respectfully request the Office acknowledge priority under 35 U.S.C. § 119 to Japanese Application No. JP 2002-321856, filed on November 5, 2002, in the next communication from the Office.

Respectfully submitted,

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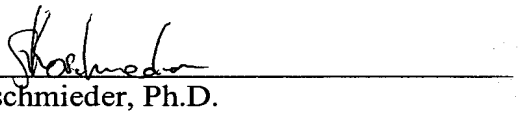

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